

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension)
)
of the Educator Certificate of)
)
Susan M. Sowell)
)
Certificate # 143293)

**ORDER OF
SUSPENSION**

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on January 13, 2004. On October 14, 2003, the State Department of Education (Department) sent Ms. Susan M. Sowell a notice of hearing (notice) regarding the possible suspension or revocation of her South Carolina educators certificate (certificate) by certified mail, return receipt requested, delivery restricted to addressee. Ms. Sowell did not claim the notice, as evidenced by documentation provided by the United States Postal Service. On November 26, 2003, the Department served Ms. Sowell with a hearing notice through service of process by the Aiken County Sheriff's Department. Ms. Sowell was successfully served as evidenced by her signature on an Affidavit of Service prepared by the Aiken County Sheriff's Office. Ms. Sowell did not request a hearing during the period allowed by law, and is now in default. After considering the evidence presented, the State Board voted to suspend Ms. Sowell's certificate for three years from the date of this Order.

FINDINGS OF FACT

Ms. Sowell holds a valid South Carolina certificate, and has over eighteen years of teaching experience. She was under contract with the Aiken County School District (District) for the 003-2004 school year as a fourth grade teacher at Belvedere Elementary School. On June 10, 2003, Ms. Sowell was terminated from the District following an investigation into allegations that she had falsified an misrepresented homebound records and was therefore wrongly compensated by the District. Ms. Sowell pled guilty to charges of Obtaining Property Under False Pretenses. Ms. Sowell

paid restitution to the District in the amount of Five Thousand Eight Hundred Seventy Dollars.

CONCLUSIONS OF LAW

"The State Board of Education may, for just cause, either revoke or suspend the certificate of any person." S.C. Code Ann. §59-25-150 (1990). Just cause includes "Unprofessional conduct....Crime against the law of this State or the United States...and Dishonesty..." S.C. Code Ann. §59-25-160 (1990); 24 S.C. Code Ann. Regs. 43-58 (1992). The Board finds that the preponderance of the evidence presented, which is undisputed by Ms. Sowell, supports the suspension of her teaching certificate #143293 for three years from January 13, 2004, through January 12, 2007. At the end of the suspension period, if she wants her certificate reinstated, Ms. Sowell must undergo a character and fitness review before the State Board and must make a written request to the Office of Teacher Education and Certification.

South Carolina State Board of Education

/S/ Mary E. Jones

Dr. Mary E. Jones

Chair

Columbia, South Carolina

January 13, 2004